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Attorneys for Plaintiffs

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON**

VASSAR FARMS, INC., an Idaho
corporation

Plaintiff,

vs.

J.R. SIMPLOT CO., a Nevada
corporation

Defendant.

Case No.: CV 13-11449c

SUBPOENA

The State of Idaho to:

United States Environmental Protection Agency
950 W. Bannock Suite 900
Boise, ID 83702

YOU ARE COMMANDED:

To produce or permit inspection and copying of the following documents or objects,
including electronically stored information, at the place, date and time specified below:


Documents listed on the attached Exhibit A.

PLACE, DATE AND TIME: The law office of FISHER RAINEY HUDSON, 910 W. Main St., Ste. 254, Boise, ID 83702 by Thursday, January 8, 2015, at 9:00 am.

You are further notified that if you fail to produce or permit copying or inspection as specified above that you may be held in contempt of court and that the aggrieved party may recover from you the sum of \$100 and all damages which the party may sustain by your failure to comply with this subpoena.

DATED this 29th day of December, 2014.

FISHER RAINEY HUDSON



Vaughn Fisher, of the firm
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of December, 2014, I caused to be served a copy of the foregoing **SUBPOENA** on the following, in the manner indicated below:

Brian K. Julian
Anderson Julian & Hull LLP
P.O. Box 7426
Boise, ID 83707

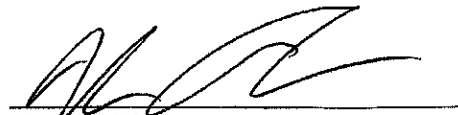
() Via U.S. Mail
(☒) Via Facsimile – (208) 344-5510
() Via Overnight Mail
() Via Hand Delivery

Attorney for Defendants

Lucas M. Howarth
J.R. Simplot Company
P.O. Box 27
Boise, ID 83707

() Via U.S. Mail
(☒) Via Facsimile – (208) 389-7464
() Via Overnight Mail
() Via Hand Delivery

Attorney for Defendants



Vaughn Fisher

**EXHIBIT "A" – Subpoena,
United States Environmental Protection Agency**

Pursuant to Idaho Rule of Civil Procedure 45, please produce the following documents in your possession for the period beginning January 1, 1998, to the present day related to the area formerly known as Simplot Livestock Company, Feedlot No. 3, located three miles west of the city of Caldwell on Highway 19 between Farmway Rd. and Wietz Rd. in Caldwell, Idaho ("Caldwell Feedlot"):

1. A copy of all comments in the EPA's possession related to Simplot's application for, and Idaho Department of Environmental Quality's ("DEQ") issuance of, DEQ Reuse Permit 1-008-05.

2. A copy of all internal correspondence among and between EPA representatives, correspondence between EPA representatives and representatives of Idaho DEQ, and correspondence between EPA representatives and representatives of either the J.R. Simplot Company or contractors of the J.R. Simplot Company related to the area and facility operations permitted by NPDES Permit IDG010027.

3. A copy of all documents pertaining to NPDES Permit IDG010027 and/or NPDES Permit 002218-7 from 1999 to the present including, but not limited to, the following:

- a. Any maps, diagrams or aerial photographs of the area and operations subject to either permit;
- b. The application and related submittals for both permits;
- c. Any annual reports or other documents submitted pursuant to the requirements of either permit; and

d. Any surveys of the area subject to either permit including wastewater drainage areas, holding water areas, and actual discharge locations to waters of the United States.

4. A copy of any documents pertaining to the amount of solid waste to be removed from the Caldwell Feedlot pursuant to NPDES Permit 002218-7 and locations where the waste was to be taken.

5. A copy of any current or past Solid Waste Management Plan for the area and facility operations permitted under DEQ Reuse Permit 1-008-05 and DEQ Permit LA-000008-04.

6. All other documents in EPA's possession in any way pertaining to the area and/or facility operations at the Caldwell Feedlot from 1999 to the present.